

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

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MACHELLE JOSEPH

Plaintiff,

v.

BOARD OF REGENTS OF  
THE UNIVERSITY SYSTEM  
OF GEORGIA;  
GEORGIA TECH ATHLETIC  
ASSOCIATION;

GEORGE PETERSON, in his individual  
capacity; M. TODD STANSBURY, in his  
individual capacity; MARVIN LEWIS, in  
his individual capacity; and  
SHOSHANNA ENGEL, in her individual  
capacity.

Defendants.

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Civil Action No.:  
1:19-cv-03347-TCB

**MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF  
PLAINTIFF’S CONSENT MOTION TO EXTEND TIME**

Pursuant to Federal Rules of Civil Procedure (“FRCP”) Rule 6(b) and the Court’s Instructions to Parties and Counsel Order, Plaintiff MaChelle Joseph (“Plaintiff”), by and through undersigned counsel, hereby files this consent motion respectfully requesting that this Court extend the time to respond to the Motions to Dismiss filed by Defendants Board of Regents, Georgia Tech Athletic Association, George Peterson, M. Todd Stansbury, Marvin Lewis and Shoshanna Engel,

(collectively the “Defendants”), on September 26, 2019. (ECF Nos. 18, 19, and 20).

In support of the foregoing motion, Plaintiff states as follows:

1. On July 23, 2019, Plaintiff filed her complaint against Defendants Board of Regents (“BOR”) and the Georgia Tech Athletic Association (“GTAA”), (collectively the “Institutional Defendants”), for sex discrimination and retaliation in violation of Title IX of the Education Amendments of 1972, 20 U.S.C. §1681(a) and the Georgia Whistleblower Act; against George Peterson, M. Todd Stansbury, Marvin Lewis, and Shoshanna Engel, in their individual capacities, (collectively the “Individual Defendants”), for sex discrimination in violation of the Fourteenth Amendment of the United States Constitution, 42 U.S.C. § 1983; against the Institutional Defendants for breach of contract in violation of Georgia law; and against the Institutional Defendants and Individual Defendants for litigation expenses under O.C.G.A. §13-6-11. (ECF No. 1).

2. Subsequent to filing her complaint, Plaintiff consented to Defendants’ request for an additional 30 days to answer or otherwise respond to her Complaint. (ECF No. 13).

3. On September 26, 2019, Defendant BOR, Defendant GTAA, and the Individual Defendants responded to Plaintiff’s Complaint by filing three separate Motions to Dismiss, (the “Motions”). (ECF Nos. 18, 19, and 20). The Motions total

approximately 50 pages not including exhibits and raise twelve separate bases for dismissal.

4. While Plaintiff's counsel are diligently working to respond to these three Motions, half of Plaintiff's trial team is also preparing for trial in another matter that is set to begin the week of October 14, 2019, two business days after Plaintiff's response to Defendants' Motions would be due.

5. In order to enable Plaintiff's counsel to respond to the Defendants' three Motions in light of their unmovable scheduling conflict, Plaintiff seeks an extension of time of 14 days to respond to the Motions. If granted, this would extend the time for Plaintiff to file her response until October 24, 2019.

6. On October 1, 2019, counsel for Plaintiff requested counsel for Defendants' consent to a 14 day extension to respond to the Motions. On October 2, 2019, counsel for Defendants consented and agreed to the relief requested in this motion.

7. For these reasons, and good cause shown, Plaintiff respectfully requests that the Court extend the time for to file her response to Defendants' Motions by 14 days.

Respectfully submitted this 2nd day of October, 2019.

/s/\_\_\_\_\_

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**LOCAL RULE 7.1 (D) CERTIFICATION OF COMPLIANCE**

Pursuant to Local Rule 7.1(D), I hereby certify that the foregoing pleading has been prepared in compliance with Local Rule 5.1(C) in 14-point Times New Roman font.

Respectfully submitted this 2nd day of October, 2019.

/s/\_\_\_\_\_  
Lisa J. Banks  
Counsel for Plaintiff MaChelle Joseph